

## **REMARKS**

### **Status**

This Amendment is responsive to the Office Action dated March 23, 2006, in which Claims 1-12 were rejected. Claims 3 and 5 have been canceled; Claims 1, 7, 10, and 12 have been amended; and new Claim 13 has been added. Accordingly, Claims 1-2, 4, and 6-13 are pending in the application, and are presented for reconsideration and allowance.

### **Specification**

Amendments have been made to the Specification to correct some clerical errors. No new matter is added by these amendments.

### **Claim Rejection - 35 USC 112**

Claims 7 and 11 stand rejected under 35 USC 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 7 and 11 have been amended, and as amended, are believed to be comply with 35 USC 112, second paragraph. Withdrawal of this rejection is respectfully requested.

### **Claim Rejection - 35 USC 102**

Claims 1-3, 5-7, and 10-12 stand rejected under 35 USC 102 as being anticipated by US Patent No. 6,068,439 (*Ohta*). While Claims 3 and 5 have been cancelled, this rejection is respectfully traversed with regard to Claims 1-2, 6-7, and 10-12.

*Ohta*'s member 370 is attached to cover member 13 and box member 12. When cover member 13 is opened, member 370 moves in several directions, as shown in *Ohta*'s Figure 19B.

In contrast, the present invention's transport member moves solely in translation, as shown in the figures and described in the Specification starting at Page 6, line 24. This feature is clearly claimed in amended Claim 1 as, "a

transport member disposed within the box member configured to move solely in translation”. Accordingly, Claim 1 is not anticipated by *Ohta*.

Claims 2, 6-7, and 10-12 are dependent on Claim 1, and therefore includes all the features thereof. For the reasons set forth above with regard to Claim 1, Claims 2, 6-7, and 10-12 are also believed to be patentable. Applicant also notes that the dependent claims are also patentable for additional reasons by virtue of the subject matter recited in each dependent claims. For example, the cited reference fails to disclose the recited features of dependent Claim 12, as *Ohta*’s shaft 371 is not a spring, as claimed in Claim 12.

### **Claim Rejection - 35 USC 102**

Claims 1-3, 6, 8, 10, and 11 stand rejected under 35 USC 102 as being anticipated by US Patent No. 5,441,251 (*Ohta* ’251). While Claim 3 has been cancelled, this rejection is respectfully traversed with regard to Claims 1-2, 6, 8, 10, and 11.

*Ohta* ’251’s push member 138 moves on rails to “abut against and push the rear end portion of the phosphor sheet 12”. Refer to Col 17, lines 49-53 and Figures 15, 16, and 19.

In contrast, the present invention’s transport member has a substantially planar surface which contacts the planar surface of the medium when the transport member is moving the medium into and out of the box member, as shown in the figures and described in the Specification starting at Page 6, line 24. This feature is clearly claimed in amended Claim 1 as, “the transport member having a substantially planar surface which contacts the planar surface of the medium when the transport member is moving the medium into and out of the box member”. Accordingly, Claim 1 is not anticipated by *Ohta* ’251.

Claims 2, 6, 8, 10, and 11 are dependent on Claim 1, and therefore includes all the features thereof. For the reasons set forth above with regard to Claim 1, Claims 2, 6, 8, 10, and 11 are also believed to be patentable. Applicant also notes that the dependent claims are also patentable for additional reasons by virtue of the subject matter recited in each dependent claims. For example, the cited reference fails to disclose the recited features of dependent

Claim 11, as *Ohta* '251's resin (Col. 7, line 47) does not teach or disclose a guide comprised of a material which reduces electrostatic charging, as claimed in Claim 11.

#### **Claim Rejection - 35 USC 102**

Claims 1-3, 6, 7, and 10 stand rejected under 35 USC 102 as being anticipated by US Patent No. 2,056,279 (*Kulick*). While Claim 3 has been cancelled, this rejection is respectfully traversed with regard to Claims 1-2, 6, 7, and 10.

*Kulick* teaches a cassette having a hinged platform 19 which determines a parallelogram (Col 2, lines 24-37) to raise and lower film 34 in a parallel relation.

In contrast, the present invention's transport member moves solely in translation, as shown in the figures and described in the Specification starting at Page 6, line 24. This feature is clearly claimed in amended Claim 1 as, "a transport member disposed within the box member configured to move solely in translation". Accordingly, Claim 1 is not anticipated by *Kulick*.

Claims 2, 6, 7, and 10 are dependent on Claim 1, and therefore includes all the features thereof. For the reasons set forth above with regard to Claim 1, Claims 2, 6, 7, and 10 are also believed to be patentable. Applicant also notes that the dependent claims are also patentable for additional reasons by virtue of the subject matter recited in each dependent claims. For example, the cited reference fails to disclose the recited features of dependent Claim 6, as *Kulick* does not use a frictional force between the medium and transport member to promote translation of the medium. Rather, an operator removes/inserts film 34 from hinged platform 19.

#### **Claim Rejection - 35 USC 103**

Claim 4 stands rejected under 35 USC 103 as being unpatentable over *Ohta* in view of US Patent No. 4,434,501 (*Pfeiffer*). This rejection is respectfully traversed.

Claim 4 is dependent on Claim 1, and therefore includes all the features thereof. For the reasons set forth above with regard to Claim 1, Claim 4 is also believed to be patentable.

Claim 4 is also patentable for additional reasons by virtue of the subject matter recited in the claim. For example, *Pfeiffer* does not disclose neoprene, as *Pfeiffer* mentions only “foamy plastic”.

Further, the Office Action indicates that *Pfeiffer*’s “foamy plastic” is used for “cushioning and protection”.

In contrast, the present invention employs neoprene as a surface of the transport member to control the frictional interaction of the medium, as described in the Specification on Page 7, lines 12-17. More particularly, this material allows the medium to stick/adhere/contact to the transport member for insertion and extraction yet allows slippage when the medium is extracted/inserted from the cassette.

Thus, even if – for argument purposes only - *Pfeiffer*’s “foamy plastic” were combined with *Ohta* as suggested in the Office Action, the present invention would not result since *Pfeiffer* does not teach the present invention’s use of the neoprene for controlling frictional interaction.

Accordingly, Claim 4 is believed to be patentable.

#### **Claim Rejection - 35 USC 103**

Claim 9 stands rejected under 35 USC 103 as being unpatentable over *Ohta* in view of US Patent No. 6,504,166 (*Imai*). This rejection is respectfully traversed.

Claim 9 is dependent on Claim 1, and therefore includes all the features thereof. For the reasons set forth above with regard to Claim 1, Claim 9 is also believed to be patentable.

#### **Claim Rejection - 35 USC 103**

Claim 4 stands rejected under 35 USC 103 as being unpatentable over *Ohta*’251 in view of *Pfeiffer*. This rejection is respectfully traversed.

Claim 4 is dependent on Claim 1, and therefore includes all the features thereof. For the reasons set forth above with regard to Claim 1, Claim 4 is also believed to be patentable.

Claim 4 is also patentable for additional reasons by virtue of the subject matter recited in the claim. For example, *Pfeiffer* does not disclose neoprene, as *Pfeiffer* mentions only “foamy plastic”.

Further, the Office Action indicates that *Pfeiffer*’s “foamy plastic” is used for “cushioning and protection”.

In contrast, the present invention employs neoprene as a surface of the transport member to control the frictional interaction of the medium, as described in the Specification on Page 7, lines 12-17. This material allows the medium to stick/adhere/contact to the transport member for insertion and extraction yet allow slippage when the medium is extracted/inserted from the cassette.

Thus, even if – for argument purposes only - *Pfeiffer*’s “foamy plastic” were combined with *Ohta* ’251 as suggested in the Office Action, the present invention would not result since *Pfeiffer* does not teach the present invention’s use of the neoprene for controlling frictional interaction.

Accordingly, Claim 4 is believed to be patentable.

#### **Claim Rejection - 35 USC 103**

Claim 9 stands rejected under 35 USC 103 as being unpatentable over *Ohta* ’251 in view of *Imai*. This rejection is respectfully traversed.

Claim 9 is dependent on Claim 1, and therefore includes all the features thereof. For the reasons set forth above with regard to Claim 1, Claim 9 is also believed to be patentable.

#### **Claim Rejection - 35 USC 103**

Claim 4 stands rejected under 35 USC 103 as being unpatentable over *Kulick* in view of *Pfeiffer*. This rejection is respectfully traversed.

Claim 4 is dependent on Claim 1, and therefore includes all the features thereof. For the reasons set forth above with regard to Claim 1, Claim 4 is also believed to be patentable.

Claim 4 is also patentable for additional reasons by virtue of the subject matter recited in the claim. For example, *Pfeiffer* does not disclose neoprene, as *Pfeiffer* mentions only “foamy plastic”.

Further, the Office Action indicates that *Pfeiffer*’s “foamy plastic” is used for “cushioning and protection”.

In contrast, the present invention employs neoprene as a surface of the transport member to control the frictional interaction of the medium, as described in the Specification on Page 7, lines 12-17. More particularly, this material allows the medium to stick/adhere/contact to the transport member for insertion and extraction yet also allow slippage when the medium is extracted/inserted from the cassette.

Thus, even if – for argument purposes only - *Pfeiffer*’s “foamy plastic” were combined with *Kulick* as suggested in the Office Action, the present invention would not result since *Pfeiffer* does not teach the present invention’s use of the neoprene for controlling frictional interaction.

Accordingly, Claim 4 is believed to be patentable.

### **Claim Rejection - 35 USC 103**

Claim 9 stands rejected under 35 USC 103 as being unpatentable over *Kulick* in view of *Imai*. This rejection is respectfully traversed.

Claim 9 is dependent on Claim 1, and therefore includes all the features thereof. For the reasons set forth above with regard to Claim 1, Claim 9 is also believed to be patentable.

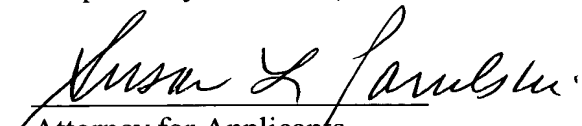
### **Summary**

Should the Examiner consider that additional amendments are necessary to place the application in condition for allowance, the favor is requested of a telephone call to the undersigned counsel for the purpose of discussing such amendments.

For the reasons set forth above, it is believed that the application is in condition for allowance. Accordingly, reconsideration and favorable action are respectfully solicited.

The Commissioner is hereby authorized to charge any fees in connection with this communication to Eastman Kodak Company Deposit Account No. 05-0225.

Respectfully submitted,

  
\_\_\_\_\_  
Attorney for Applicants  
Registration No. 39,324

Susan L. Parulski/law  
Rochester, NY 14650-2201  
Telephone: (585) 477-4027  
Facsimile: (585) 477-4646